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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/374,740	08/13/1999	PAUL AUSTIN	5150-32801	4091

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EXAMINER
EDELMAN, BRADLEY E

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 10/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/374,740	AUSTIN ET AL.	
	Examiner	Art Unit	
	Bradley Edelman	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 August 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

This action is in response to Applicant's amendment and request for reconsideration filed on August 12, 2002. Claims 1-35 are presented for further examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-3, 10-17, 19, and 28-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Dickman et al. (U.S. Patent No. 6,091,409 (hereinafter "Dickman").

In considering claims 1, 16, 31, and 35, Dickman discloses a computer-implemented method, system, and medium for enabling access to one or more data sources or targets (Internet resource) in a computer system, comprising:

means for determining one or more data sources or targets connected to the computer (col. 10, lines 55-56, i.e. "www.unitedmedia.com/comics/dilbert/archive/dilbert950826.gif");

means for automatically generating one or more URLs for each of the data sources or targets (col. 10, lines 63-65, wherein the URL is automatically generated as part of the shortcut icon when the link is dragged and dropped onto the desktop);

wherein each of the URLs is usable for reading data from the source or writing data to the target (col. 5, lines 15-18, "HTTP, FTP").

In considering claims 2, 17, and 32, Dickman further discloses that the data sources and targets include addressable data sources and targets of a hardware device (col. 10, lines 55-56, wherein the source shown is an addressable source of the hardware computer "www").

In considering claims 3 and 19, Dickman further discloses including configuration information in the URL (".gif"), wherein the configuration information may be used for reading data from the source or writing data to the target (col. 10, lines 55-56, wherein ".gif" constitutes configuration information that tells the computer what type of file source is being read or written to).

In considering claim 10, Dickman further discloses that at least one URL is operable to be included in an application program for reading data from a data source or

writing data to a data target (col. 11, lines 24-29, the URL is opened from within the browser application or from the desktop).

In considering claim 11, 29, and 33, Dickman further discloses providing the URL to an application program (browser) wherein the application program is operable to access the data source or data target identified by the URL (col. 11, lines 24-29), and read or write data from or to it (col. 5, lines 16-18).

In considering claims 12, 30, and 34, Dickman further discloses using a data socket client to connect to the source or target identified by the URL and read data from it or write data to it (such a data socket client is inherent in the browser application program, and is used to connect the browser to the communication port of the computer).

In considering claim 13, Dickman further discloses integrating the URLs with the computer operating system wherein the URLs are accessible via a user interface (the URLs are accessible via both the browser and the desktop – col. 11, lines 24-29).

In considering claim 14, Dickman further discloses that the URLs may be provided to application programs via the user interface (i.e. the URL shortcuts can be provided to the browser application or to the desktop application program via the browser user interface – col. 11, lines 24-29; Fig. 23).

In considering claim 15, Dickman further discloses editing the URLs using the user interface (users can enter URLs via the browser input line – Fig. 20).

In considering claim 28, Dickman further discloses a computer program executable to edit the generated URLs, wherein the URL information that may be edited includes configuration information (Fig. 20; col. 10, liens 55-56, wherein ".gif" is the configuration information).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9, 16-27, 31, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Viswanathan et al. (U.S. Patent No. 6,047,332, hereinafter "Viswanathan"), in view of Pallmann (U.S. Patent No. 6,094,684).

In considering claims 1, 16, 31, and 35, Viswanathan discloses a computer-implemented method, system, and medium for enabling access to one or more data sources or targets (106, 112, 114, 116, 118, etc.) in a computer system (col. 8, lines 61-65), comprising:

means for determining one or more data sources or targets connected to the computer (col. 8, line 60 – col. 9, line 2, wherein computer 202 uses global file system 206 to determine which sources or targets are connected to the computer);

means for automatically generating one or more logical names for each of the data sources or targets (col. 10, lines 1-3; col. 11, lines 37-38; col. 15, lines 10-22);

wherein each of the logical names is usable for reading data from the source or writing data to the target (col. 11, lines 46-48, wherein by gaining access to the device through the logical name necessarily reads or writes information from or to the device).

Although Viswanathan does not explicitly disclose the use of URLs to access the sources or targets, using URLs for a similar access system is well known in the art, as evidenced by Pallmann. In a similar art, Pallmann discloses a data access system for accessing remote data, wherein URLs are generated and used to access the data (col. 8, lines 30-49, wherein the HTTP protocol uses URLs). Thus, given the teaching of Pallmann, a person having ordinary skill in the art would have readily recognized the desirability and advantages of using the system taught by Viswanathan for an Internet access system, thus including URLs, to enable access to network resources from anywhere in the world. Thus, it would have been obvious to use the system taught by Viswanathan for access to Internet resources, as suggested by Pallmann.

In considering claims 2, 17, and 32, Viswanathan further discloses that the data sources and targets include addressable data sources and targets of a hardware device (col. 8, lines 61-65).

In considering claims 3 and 19, Viswanathan further discloses including configuration information in the logical names, wherein the configuration information may be used for reading data from the source or writing data to the target (col. 11, lines 57-59, wherein the configuration information is used to create the logical name, and the logical name necessarily may be used for reading or writing to or from the source or target).

In considering claim 4, Viswanathan further discloses querying a database (DCS database) to obtain information regarding a data source or data target, and generating logical names based on the obtained information (col. 12, lines 36-41).

In considering claim 5, Viswanathan further discloses that the hardware devices are connected to the computer (col. 8, lines 61-65), wherein the automatically generating comprises:

querying a database to obtain device information regarding one or more of the hardware devices, wherein the querying includes determining the addressable data sources and targets of the device(s) (col. 12, lines 36-41; col. 11, lines 30-36); and

generating one or more logical names based on the device information and the addressable data sources and targets thus obtained (col. 11, lines 37-38).

In considering claim 6, Viswanathan further discloses the device information including device configuration information, wherein the generating comprises including

device configuration information in one or more logical names identifying hardware device data sources or targets (col. 11, lines 57-59).

In considering claims 7 and 18, although the system taught by Viswanathan and Pallmann discloses substantial features of the claimed invention, it fails to disclose that the hardware devices may include one of DAQ, GPIB, VXI, PXI, and serial devices. Nonetheless, applicant's admission of the prior art discloses that inputting and outputting information to these devices is well known (see specification, p. 2, line 29 – p. 3, line 1). Viswanathan further discloses the use of printer devices, communication devices, storage devices, and other types of devices (see Fig. 5). Thus, it would have been obvious to a person having ordinary skill in the art to include any devices in the URL creation system taught by Viswanathan and Pallmann, so that all new devices connected to the computer can be accessed from a remote location.

In considering claim 8, although the teaching of Viswanathan and Pallmann discloses substantial features of the claimed invention, it fails to disclose the use of two separate databases, one for querying information regarding a first device, and another for querying information regarding a second device. Nonetheless, the use of two separate databases is a mere matter of design choice, and it would have been obvious to a person having ordinary skill in the art to use two separate databases instead of one large central database, because employing two smaller databases would reduce the

amount of time necessary to retrieve data from the databases, thereby creating a faster, and more efficient system.

In considering claim 9, Viswanathan further discloses connecting a new device to the computer (col. 10, lines 4-5), wherein said querying comprises obtaining device information regarding the new device, wherein the querying includes determining the addressable data sources and targets of the new device, and wherein the logical names include one or more logical names for one or more addressable data sources and targets of the new device (col. 9, line 66 – col. 10, line 12).

In considering claim 20, Viswanathan further discloses one or more plug-in modules (link generator) comprised in the memory of the computer system, wherein the plug-in modules interface with the logical name generation manager, wherein each plug-in module is capable of automatically generating logical names to reference a particular type or class or data source or target (col. 10, lines 9-12).

In considering claim 21, Viswanathan further discloses one or more hardware devices connected to the computer system (col. 8, lines 61-65), wherein one or more of the plug-in modules is capable of automatically generating logical names to reference data sources or targets of a particular type or class of hardware device (col. 10, lines 9-12).

In considering claim 22, Viswanathan further discloses one or more databases which each store information regarding a particular type or class of data source or target (col. 12, lines 36-41), wherein the information includes information regarding the locations or addresses of one or more data sources or targets connected to the computer (col. 12, lines 36-50; col. 11, lines 30-35).

In considering claim 23, Viswanathan further discloses that database information includes configuration information for one or more data sources or targets connected to the computer (col. 11, lines 56-61).

Claim 24 contains no further limitations over claims 21 and 22 combined, and is thus rejected for the same reasons stated with regard to claims 21 and 22.

Claim 25 contains no further limitations over claim 23, and is thus rejected for the same reasons stated with regard to claim 23.

Claim 26 contains no further limitations over claims 20 and 22 combined, and is thus rejected for the same reasons stated with regard to claims 20 and 22.

Claim 27 contains no further limitations over claims 20, 21, and 22 combined, and is thus rejected for the same reasons stated with regard to claims 20, 21, and 22.

Response to Arguments

In response to Applicant's request for reconsideration filed on August 12, 2002, the following factual arguments are noted:

a. Dickman does not teach or suggest automatically generating URLs after determining the one or more data sources connected to the computer, as required by claim 1.

b. Viswanathan does not teach or suggest the use of URLs, as required by claim 1.

In considering (a), Applicant contends that Dickman does not teach or suggest automatically generating URLs after determining the one or more data sources connected to the computer, as required by claim 1. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., automatically generating URLs *after* determining the data sources connected to the computer) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Here, the claims merely state "means for determining one or more data sources or targets connected to the computer" and "means for automatically generating one or more URLs for each of the data sources or targets" without mentioning any order of the steps or specifying which means carry out the claimed steps. Thus, Dickman discloses the claimed method, as described in the claim rejections above.

In considering (b), Applicant contends that Viswanathan does not teach or suggest the use of URLs, as required by claim 1. Examiner agrees and has changed the grounds for rejection accordingly. Particularly, Viswanathan teaches a system for accessing remote computers, including automatically generating physical and logical names, but does not explicitly disclose that the physical and logical names are Internet URLs. Examiner has changed the grounds for rejection accordingly. Particularly, the use of URLs in a distributed computing access system is well known, and would have been obvious in the system taught by Viswanathan, for the reasons stated in the claim rejections above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is (703) 306-3041. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (703) 305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

For all After Final papers: (703) 746-7238.

For all other correspondences: (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

BE
October 7, 2002

MOUSTAFA M. MEKY
PRIMARY EXAMINER